

REMARKS

Claims 1-49 were pending in the present application. Claims 15, 17, 19, 22-25, 28 and 30-49 were withdrawn from consideration. By virtue of this response, claims 1-25, 28, and 30-61 have been cancelled, claims 26, 27 and 29 have been amended, and new claims 62-77 have been added. Accordingly, claims 26, 27, 29, and 62-77 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

A Request for Continued Examination is filed with this Amendment. Further examination on the merits is requested. The claims have been amended to describe anchors including struts moveable between delivery and deployed profiles or positions, such as shown, for example, in Figs. 13C, 13D, 16A and 16B.

The Amendment filed January 13, 2006 added new dependent claims 50-61. These claims were apparently not examined, and in any event have been cancelled by this Amendment. However, the new claims added by this Amendment start with new claim 62. New claims 62-66 are supported at 0090. New claim 67 is supported at 0076, line 19. New claims 69-71 are supported at 0090. New claims 72-77 are supported at 0081.

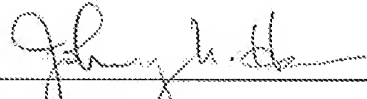
In contrast to Ewers et al USP 6,589,208, claims 26 and 73 describe struts having a free end. In Fig. 6 of Ewers et al, the front ends of the legs 40 are attached to the cap 30 and the back ends of the legs are attached to the slide 27. Neither end of any leg 40 is free, as now claimed. Claim 62 describes the struts as biased away from each other (as shown e.g., in Fig. 16A). In Ewers et al, the legs 40 are not biased. Rather force is required to move the legs. Col. 9, lines 25-35. Claim 69 describes the struts overlaying each other (as shown e.g., in Fig. 13D). In Ewers et al, the legs are parallel to each other. Regarding new claim 74, Ewers et al does not show a fixture point between the struts, with a suture attached to the fixture point. These claims are therefore patentable over Ewers et al. Continued examination is requested.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No. 50-3973 referencing Attorney Docket No. **USGINZ02111**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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